

**REMARKS**

This paper is responsive to the Office Action mailed on December 15, 2004. Claims 1-43 are currently pending in this application. Claim 32 is currently amended. Claims 1-31 and 33-43 are original. Claims 1-43 remain under consideration, and of these, claims 1, 20, 21, 32, 36, 37, 38, 40 and 41 are independent. No claims have been canceled. There are no new claims, and no new matter is added.

The Office Action objects to claims 14-17 and 26-29 as “multiple forms” is not clear what forms are used for data transfer. Applicant calls the Examiner’s attention to page 14, lines 10-16 in the specification which describe the various forms of transmission. For example, a snippet can be sent in its actual, complemented or reverse form.

The Office Action objects to claim 32 because it is not clear how a memory can be used to transfer data in preamble of claim 32 which states, “a memory used by at least one of a hub device and a peripheral device to transfer data.” Applicant has amended claim 32 to better clarify the subject matter that the Applicant regards as the invention.

Claims 12 and 13 stand rejected under 35 U.S.C §112 ¶2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Specifically, use of the term “reliable” fails to particularly point out and distinctly claim the invention. Applicant intends that the plain meaning of “reliable” be applied to the claim term. As such, Applicant respectfully opposes the §112 ¶2 rejection, as the plain meaning does not give rise to an indefiniteness of the term.

Independent claims 1, 20, 21, 32, 36, 37, 38, 40 and 41 and dependent claims 2-19, 22-31, 33-35, 39, 42 and 43 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-31 of U.S. Patent No. 6,351,468. To move prosecution forward, enclosed herewith is a terminal disclaimer in compliance with 37 CFR 1.321(c) signed by the attorney of record for overcoming the double-patenting rejection, and the required fee under 37 CFR 1.20(d).

For at least the reasons stated in these Remarks, Applicant believes all pending claims to be in allowable condition. The current Amendment serves to correct typographical and indefiniteness errors. Applicant reserves the right to argue other distinctions if it ever becomes

necessary. A favorable examination result is earnestly solicited. Questions or issues arising in this matter should be directed to Applicants' representatives, listed below.

No other fees are believed to be due in connection with this paper. However, please charge any fees, or credit any overpayment, that may be due in connection with this paper to Deposit Account No. 18-1945, under Order No. BBNT-P01-320 from which the undersigned is authorized to draw.

Dated: March 15, 2005

Respectfully submitted,

By 

Corey Scott

Registration No.: 56,245

ROPES & GRAY LLP

One International Place

Boston, Massachusetts 02110-2624

(617) 951-7000

(617) 951-7050 (Fax)

Attorneys/Agents For Applicant